G. R. S. 58]

Previous references.
Emig. 379-22-1-4
& 777-11-1-4

(1924 Emigrai)

File No. 23-24
Serial Nos. 1—2

Later references. 1691-35-1-13

Preserve (20)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for April 1925

SUBJECT

Constitution of a committee for the management of a charities over chattrame built by Bhupfalam Sobraya & Sons in the C & M. Station, Bangalore

1471 dated 30 the Emig. Com^r.
8-4-25

Govt. cannot interfere in the matter as they are not entrusted with the administration of the charity.

B170

G. R S. 11] 191 .

GENERAL AND REVENUE SECRETARIAT.

(May)

NOTES.

File No. 234-24

FILE HEADING.

Constitution of a committee for the management of the charities & the chattram built by Bhupalam Subbaraya setty in C & M. station.

From

The Myg: Comr in Mysore

No. C 1530 of 23-24 Dated 16-2-25 Received 17-2-25

Diary No. 1352	Enclos. 2	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that, as there is a civil suit pending dis'sa' about the genuineness of the will made by Thayamma, the donor, & that none are interested to draw the interest on the deposit till it is disposed of, it is desirable to await the decision of the civil court & not to disburse interest till then.

NOTES AND ORDERS.

C

(May 327-1-25)

On a reference made by the Comr to. with regard to the payt of interest on the deposit of Rs 20,000 made by Bhupalam Subbaraya Setty for the upkeep of the chattram built by him etc. he was informed in this office letter no.

NOTES—First Sheet.

General and Revenue Secretariat. | Mug File No. 234 of 1924

A | Serial No.

No. 2713/Mug 379-22 dt 20-4-23, that the interest for the half-year ending 31-12-22 may be paid to Veeraraghavaiah [illegible], Thayamma's brother.

2 In regard to the payment of interest in future & the management of the charities, the M. Comr was requested in this office letter No. 2714/379-22 dt 20-4-23 to take steps for the constitution of a Committee of management.

B

3 It is with reference to this letter that the M. C. writes now that a civil suit is pending disposal about the genuineness of the will made by Thayamma, widow of Subbaraya Setty, and that as none are interested to draw the interest on the endowl, ~~the M.C.~~ he proposes that the civil court ~~decision~~ Decision may be awaited. Till the appointment of a Committee the M. C. proposes that the Amildar of Bangalore may be authorised to arrange for the building being kept in good repair.

A

4 May the further communication of the M. C. be awaited or the present be recorded.

SD 19.2.25 | 19-2-25

5. The proposal of the M C at A may be appd

20.2.25

NOTE—Contn Sheet

603/25.2

Rev. dept (Rgd)

[illegible] 28.2.25

Serial No.

6. As the Chatram is situated on the Coast Station Limits, I cannot understand how the Collector (or even the Ryotwari Settlement Officer) can interfere with its management.

7. I should like to have the views of the Board of Revenue in the matter

25/2

25/2

25.2.25

L. & L. Board.

8. I have perused the copy of the will of late Lakaraja Chetty (Ex VII) filed in O.S. 190 of 1924. I am not aware of its genuineness or otherwise or whether letters of administration or Probate of the will being obtained.

9 By the terms of the will, a sum of Rs 20000 is bequeathed to maintain the Chatram & five executors were appointed to manage the affairs of the Chatram.

10 As the Govt is not entrusted with the administration of trust properties, I cannot understand how the Collector can be asked to keep a watch over the Chatram; it is the business of the trustees and not that of Govt to manage the affairs of Chatram.

Rev Secy

NOTE—Contn. Sheet No. Completed

18/3

18/3

Serial No.

11. A [illegible] in accordance with [illegible]

ST 21/3

21

21.3

21 3 13

12. It is respectfully subd. that the endowment of Rs 20000 made by Thayamma was accepted by Govt. in their order no. 1005-8/Mug 727-11-2 & 24-9-13, on the precedent of Arcot Narainswamy Mudaliar's charities. [Please see the then 1st Members Final Note & 26-8-13 in Mug. file 727-11].

C

13. Para 4 of the above order runs as follows:- "As Thayamma undertakes to arrange for the proper conduct of the charities, there is no necessity at present to pass orders on the scale of expenditure to be adopted or on the supervision of charities etc".

Y

14. As Thayamma is dead & has made no arrangements for the managt of the charities, it is for consideration and orders, as to whether the necessity contemplated above has now arisen now.

15 It was with this view that the M. Comr. was requested to take steps for the constitution of a Comm[illegible] of

of management in this office letter no. 2714/Mzg 379-22-4 & 2---. The M.C's letter of 16-2-25 under disposal is a reply to the above.

16 Submitted for ---

SD 24-3-25 BG 24.3.25

17 Draft further draft as noted by the member.

SD 27.3.25

18 Draft is put up accordingly.

SD 27.3.25 BG 27.3.25

19) To appt (Ref Para 11)

Rev-Sec

IS Mzg

UU 28/3

RS/S 31.3.25

20) Draft reminder

SD 3/4 letters

21) Issue

D 4.4.25

To The Municipal Commr. No. 14711 d. 8.4.25.

I state that as five members have been appointed to manage the affairs of the above Municipality as Govt have not been entrusted with the administration of the Dharwar, they cannot interfere in the matter. That no further action need therefore be taken in the matter of the constitution of the Committee.

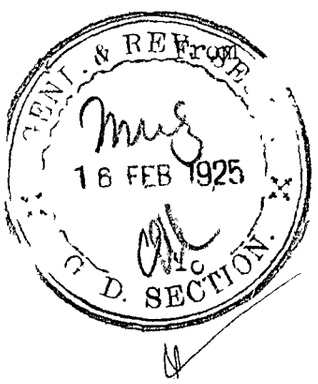
Serial No. 2

NOTE—Contn. Sheet

34074

No. C 1530/22-23 Office of the Muzrai Commissioner in Mysore.
ancestor

Dated Bangalore. 14th February 1925.
16th



K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

Jn 1355

Muz. 234-2

K. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore.

Revenue Department.

ST
17/2/25

Sir,

With reference to your letter No.2714/Muz.379-22-4 dated the 20th April 1923 requesting to take steps for the constitution of a committee for the management of the charities and the chattram built by Bhupalam Subrayasetty in Civil and Military Station, - have the honor to state that as desired by her husband in his will Thayamma wife of Bhupalam Subrayasetty deposited a sum of Rs.20,000/- for the up keep of the chattram and the charities therein, and this was accepted by Government in their order No.1005-8/M.F.727-11-2 dated the 24th September 1923. As Thayamma the donor died without making proper arrangement for the management of the charities, the Deputy Commissioner who was asked to report in the matter of appointing a committee for the management of the charities reports after personal inspection of the chattram (vide his letter No.3436/22-23 dated 22nd September 1924 copy of which is herein enclosed.) that there is a civil suit pending disposal about the genuineness of the will made by Thayamma, the donor, and that none are interested to draw the interest on the endowment till it is disposed of.

1913

The original will executed by Bhupalam Subrayasetty is filed in the Civil court as an exhibit and an authenticated translation of the will prepared by the Interpreter of the District and Sessions Court, Civil and Military Station, is herewith submitted for perusal. As the will itself (of Tayamma) is being disputed in the Civil Court it would seem desirable to await the decision of the Civil Court before

before appointing a committee of management for the Institution, and in the meantime the Amildar of Bangalore may be authorised to keep the building in good repair and pay a small commission for watching it, this expenditure being met from the interest on the endowment.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

KSR.

Lettter No.O.C.3436 of 22-23 dated 21st September 1924 from the Deputy Commissioner, Bangalore District, to the Muzrai Commissioner in Mysore.

"With reference to your letter No.C.1530/22-23 dated 19th May 1923 calling for proposals to appoint a Committee for the management of ---- Thayamma's Charities in the Chattram built by her husband late Bhupalam Subbaraya Chetty at Civil and Military Station, Bangalore, I have the honor to state that at present the Chattram is managed by one Bhupalam Venkatachalapathi Chetty nephew (brother's son) of Bhupalam Subbaraya Chetty.

The genuineness of the Will executed by the late Thayamma is being questioned and the matter has formed the subject matter of a Civil --- litigation before the Hon'ble the Resident and the case has not yet been disposed of.

I inspected the chattram on 27th August 1924 and was given to understand that neither party is anxious to draw interest before the Civil litigation is disposed of. Possibly if the Will is declared to be not genuine even by the Appellate Court, the question will arise --

arise whether the Government should return the Charitable Deposit to a person who has not obtained a decree against the Government and whether even if the deposit is to be returned, the special interest promised by Government for permanent charitable endowments should be given.

These points may perhaps be considered by the Government Advocate when the necessity arises.

For the present no interest need by paid as the parties are not keen and no students are being fed in the Chattram.

The records ending with the Bangalore Sub Division Officer's report No.R.C.860 of 1922-23 dated 25th July 1924 are forwarded herewith."

"C o p y"

Hon'ble Muzrai Commissioner. 14/2/25

KS[illegible].

Translation of the Will.

...e is the last will ... Testament of me Mooppalam Subbroya Chetty, son of Mooppalam Annamiah Chetty, aged about 60 years, residing in House bearing Municipal No. 19 Veerapillai Street C... Station Bangalore, executed on the 24th day of April 191... corresponding to Paridhavi Samvastram Vysaka Sudha Saptami, with my free will and sound state of mind thinking of the uncertainty of life and the unsoundness of the mind of my only son Annamiah aged about 35 years who is unfit to carry on any business and a man who knows nothing about the value of moveable and immoveable properties, I have made the following arrangements as to efficient management of my self acquired moveable and immoveable properties by appointing the persons herein below as executors of my will, after my death.

1. I have set apart a sum of Rs.20000/- for the up-keep and maintenance of the Chatram, bearing Municipal No. 214, built by me as a charitable institution, and the house on the left side of the said Chatram purchased by me and... situate in Veerapillai Street C... Station Bangalore, for the use of all the four principal classes of Hindus, excepting the Parians & the Musalmans. I direct that the said sum of Rs.20000/- shall be deposited in the ... Government Savings Bank and out of the interest thereon, the cost of lighting, cleaning, scavenger's pay, repairing maintaining a watch man etc., are to be met with. Besides this, not less than 5 Brahmin boys of my community shall be educated in Telugu, by being provided with food, clothes and school fees. To meet the expenses as aforesaid, the interest on the said sum should be drawn every month. In case the income is found to be excess of the above expenditure, the number of students may be increased, if it falls short, the number of students may decreased. However, my desire is that the original five students should be retained.

CIVIL & MILY. STATION, BANGALORE

2. After my death, my wife Thoyamma, my son Shamannah and my daughter-in-law Subbratnamma and the issues of my son if any, should be maintained out of the interest and rents of the moveable and immoveable properties... described hereunder.

III. My son Shamannah and his issues if any are at liberty to collect and utilize the rents of the shops bearing.... Municipal Nos.6-7, 8-9-10, 11-54-55-56-57-58 & 59 sit ate in Jewellres' Street in which I am at present living. The above ten properties are my self acquired properties. My son and his issues, if any, shall have no manner of right or whatsoever to alienate the said properties, by means of sale mortgage etc.,.

1V. After my death, my wife the said Thoyamma, shall be at liberty to utilize the jewels worth about Rs1000/- for herself out of the jewels consisting of gold silver and precious stones as per list No. 1, herein below, which are now on the person of my wife, son and daughter-in-law that are valued at Rs4000/-. My daughter-in-law the said..... Subbaratnam shall be at liberty to make use of Rs500/- wor of jewels out of the said jewels after the death of my son Shamannah. After the death of my son and myself, the remaining jewels are to be sold by executors and the sale proceeds added to the charity fund.

V. The principal amount recoverable on jewels consisting of gold, silver, and precious stones pledged with me as per list No. 2 below, is---------- 13,640-0-0

The principal amount recoverable on bonds and pro-note as per list No. 3 below is---------- 3,400-0-0.

The value of jewels of gold, silver and precious stones in my shop stock in trade, as per list No. 4, below is---------- 5,040-0-0.

Cash on hand---------- 420-0-0

The value of furniture and utensils at present in my house is---------- 200-0-0

Out of the said sum of Rs28,000/- a sum of Rs20,000/-, being set apart for charity as aforesaid, the remaining sum of Rs8,000/-, shall be deposited in the Government Savings Bank. This sum of Rs8,000/- with interest thereon should be given to the male issues of my son, if any, along with the said 10 immoveable properties, after their attaining majority, that is after they completing their 20th year. If there be no such issues to my son, the said properies should be added to the principal amount which has already been set apart for the charitable purposes of the chatram

Vi. In future my son and daughter-in-law will have to be under the care and protection of my wife Thoyamma and after her death, they are to receive moneys for their maintenance from the executors and live under the care and protection of one of the executorswho is closely connected with my family. After the death of my son Dhanamma, my daughter-in-law should remain under the control of an... executor closely connected with my family, receiving Rs10/ per mensem for her maintenance. In case she has a desire to go to her parents, she should be given jewels of the value of Rs500/- as aforesaid and also a cash of Rs1500/-, in all Rs2000/-.

Vii. A sum not less than Rs500/- is to be spent for my funeral expenses, and another sum of as not less than Rs 250/- for my wife's funeral. As regards to the funerals of of the other members of the family, the executors may... spend such amount as they desire. Out of the sum of..... Rs28,000/- as per lists, 2,3 & 4 here under, the interest thereon alone, set apart for the charitable purposes of the chatram, should be made use of, for the up-keep of the charities of the chatram and the remaing sum of Rs8000/- i is to be deposited in the Government Savings Bank.

Viii. After the death of my wife, and myself, if my son will have no issues, the rents of the above 2 to 4 moveable properties should go to my son for his maintenance. In

In case my son predeceases my daughter-in-law, she will have to be under the care of an executor closely related to my family; otherwise she may act as per para 6 supra. If my daughter-in-law dies before my son, she shall get therents of all the immoveable properties and remain under the protection of a closely related executor of my family. After my son's death the property should be added to the principal amount set apart for the charities.

IX. After the death of myself and my wife, if my son has no issues, the whole of the moveable and immoveable properties will have to be added to the said charitable fund, after his death. The charitable deeds such as, impating education, feeding etc., to the orphans, should be undertaken by the executors as they desire out of the income of the fund. But I direct that during the life time of my wife Thoyamma everything should be done in accordance with her wishes. I have mentioned herein all the moveable and immoveable properties that I possess at present. All the arrangements referred to as above are to give effect only after my death, and as such I have retained to myself the right to increase or to decrease the above said moveable properties and also the right to dispose of the immoveables and immoveables, as well as to enhance or minimise the principal amount during my life time. Any such alterations that may be effected, I shall duly mention hereunder.

X*1. The house belonging to my divided brother Thoopilan Rangiah Chetty (since died issueless), has come to my possession by law of survivorship. Having no idea of utilizing the same to myself I got the possession from the Court for its disposal, and sold the same for Rs.4000/-. Out of this amount a sum of Rs.1000/- has been spent towards court costs, Advocates' fees etc., and a further sum of Rs.1000/- has been spent for the purchase of a house belonging to Yenkatavandlu, for the purpose of erecting a gate way for the entrance

SESSIONS COURT BANGALORE CITY, STATION

Thus I have spent Rs.30 0/- and I have kept apart the balance of Rs2500/-.

XII. The management and execution of the above terms should be given effect according to the major opinion of the executors named herein below. The collection of the arrears of rents from the immoveable properties, the outstandings due to me from business transactions, the execution of repairs and other works connected with the chatram and other immoveable properties may be carries out through an agent selected according to the major... opinion of the executors named below which agent should be one of the executors and such agent may be allowed some remuneration which in the opinion of the executors is reasonable. All the transactions in this connection with Government may be conducted by a person appointed by the major opinion of the executors and such person should be my brother-in-law Mr. Veeraraghva Chetty.

XIII. I hereby humbly request that the executors appointed by me and named herein below to give full effect to all my arrangements. In case of any of the said executors were to resign or expire, the remaining members may .... appoint others to take their places, according to the majority of their opinion. As I have no idea of selecting all the executors of one and same community, I have appointed persons of different communities. The same kind of arrangement should also be continued in future. All the tranections should be conducted by my brother-in-law Mr. Veeraraghava Chetty and my wife Thoyamma during their life time.

XIV. Names of executors

1. Gadi Company name Chetty ✓
1. K. Srinivasa Aiyar ✓
3. My brother-in-law Veeraraghva Chetty.
4. V. Rangasamy Moodar. ✓
5. Thoopalan Venkatachellapathy Chetty ✓

My wife shall be at liberty to remove any of the-above five as she desires.

XV. I have executed this my Last Will and Testament

DISTRICT & SESSIONS COURTS BANGALORE CIVIL & MISC. STATION

15

with my free will and with full desire while in sound state of mind. I request the executors hereof to give effect to my said arrangements in a way beneficial to my family and to the institution of charities as they desi

(sd) Bhoopalam Subroya Chetty.

The above my last will and testament has been written at my dictation by Mr. Veeraraghva Chetty, owing to my inability to write.

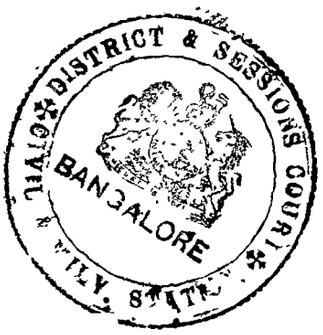
(sd). Bhoopalam Subroya Chetty

Witnesses

(sd). 1. Sham Singh.

". 2. Bhdduvaram Ramabadra Chetty

" 3. Panditha Chennabasappa



Written by Veeraraghva Chetty.

List No. 1.

List of jewels that are on the persons of my wife and daughter-in-law, belonging to me.

1.	Two pairs of gold bangles------valued at Rs	200/-
2.	Two pairs of thodas---- ------	200/-
3.	One pair of kammals set with diamond & rubies rubies...	60/-
4.	One Lukku Gottam set with diamonds-------	150/-
5.	Two silver waist belts----------	30/-
6.	One pair of Pushyaragam kammal-----	20/-
7.	Two saradu Adikes----------	140/-
8	One pair of Bugaay & Japarâni--------	130/-
9.	Two Jedai Billais----------	35/-
10.	One-do- of rubies----------	15/-
11.	Two Nagamuries----------	850/-
12.	One jadai billai set with diamonds-------	550/-
13.	one---do---------small----------	200/-
14.	One gold Kattakaium----------	60/-
15.	One gold waist belt with beads--------	550/-
16.	One pair of gold Avalakkibalai-----	150/-
17.	One pair of Simhalalatada kediyas------	150/-
18.	One Bottulu Colus----------	520/-
19.	Two pagadala (coral) Kandalu-------	50/-
20.	One addigey set with rubies & three ones,-	60/-
21.	One saradu addigey----------	40/-
22.	14 gundulu for use of a sarigey------	80/-
23.	One pair of silver thodas----------	35/-
	Total---Rs	4,075/-

Witnesses

1.(sd). B. Sham Singh
2. " Doddavaram Ramabaurtam Chetty
3. ". C.Panditha Cher a Basappa.

(sd). Bhoopalam Subbaya Chetty,

Written by Veeraraghva Chetty.

List No.[illegible] II.

Details of amounts due to me from persons who have pledged their jewels with me consisting of gold, silver and precious stones.

Principal amounts due from:-		
1.	Raju Loodr.----------	6000/-
2.	Dhanrajmull----------	5000/-
3.	Ratna Chand (deceased)-----	1500/-
4.	Nikoob Chand--------	400/0
5.	Ramalaksimaniah son of Setti Puttiah---	1075/-
6.	KastnriChand----------	1,020/-
7.	Bangalore Puddappa--------	300/-
8.	Raja Rachutayya-------	500/-
9.	Pandalappa--------	350/-
10.	Audimulam Loodr.--------	800/-
11.	Rangasamy Loodr--------	350/-
12.	Mallex-------	220/-
13.	Godi Doss------	500/-
14.	Sait------	450/-
15.	Pudainur Subbiah----------	175-0-0
	Total Rs	18,640/-

CITY CIVIL & DISTRICT & SESSIONS COURT BANGALORE

List No. III.

Details of debts due to be on bonds and pro-notes principal and ints due from:-

1. Balasa Akkanna---------- 2500/-
2. Balasundram Moodr of Sol Sctor's [illegible] 350/-
3. Lecurs. Muthen---- 200/-
4. Chanjonula Krishnaswamy, Post,---- 200/-
5. Naveripetnam Tungal---- 100/-
6. Ludimoor Subrish---- 10/-

Total 3260/-

(sd). Thoopalem Subroya Chetty.

Witnesses:

1. B. Shama Singh.
2. Poduvaram Parthasarathy Reddy
3. Penditla Chennabasappa

Written by Veeraraghava Chetty.

Note. Endorsement ex.A. dated 28-5-15 on list No. III. produced by petitioner. Admitted in evidence. Date 28-5-15. (sd). [illegible] Judge.

Ex.I. dated 27th Oct 1914. produced by defendant's guardian. Admitted in evi. Date 27-10-14. Initialled by the Judge.

Dem Translation

I Examined myself

Interpreter

Dt + Sessions Court

Civil Sh,

Bangalore

20/4/23

True Translation from Telugu of the last will & testament

of

Bhupalam Subbarayya Chetty.

Executed on the 24th day of April 1912. Exhibit "A" in Misc. case no 65/1913

produced by the petitioners.

Admitted in Evidence

(Sd) A. Ramayya Punja

district judge.

C & M. Station Bangalore

Date

28-5-1915

App.F.VI G1]

17

SUBJECT

Section Munz.
File No. 234-24.
Seria No. 2.

Diary No. of letter replied to 1352

No. 471

General and Revenue Secretariat
(Munz)
, the 192

To The Mun: Comr.
in Mysore,
Bangalore.

Date of issue 6.4.25

Signed by M. T. R.

Sir,

With reference to your letter No. C. 1530 of 22-23 & 16-2-25 in the matter of the constitution of a Committee for the management of the charities and chattram built by Bhupalam Subrayaselly in the Civil & Military Station, Bangalore. I am directed to state that ~~the Govt. Secretary is of opinion that~~ Govt. are not entrusted with the administration of the charity, ~~Those entrusted by the~~ properties, the Amildar of the Bangalore Taluk Cutcherry

over

List of enclosures

Copied by

Examined by

~~the Govt. Secretary is of opinion that~~ by the terms of the will executors are appointed for the maintenance of the chattram & five executors are appointed to manage the affairs. As Govt have not been

they cannot be interfered in this matter, particularly as
~~be asked to keep a watch over~~
the chattram, ~~particularly when~~ it is ~~if it is~~ in the C & M. Station limits,
No further
which is beyond the jurisdiction
of the Amildar of ~~If~~ that it is the business
of the Trustees and not that of
Govt to manage the affairs
of the chattrams.

I have etc
Sd/-
Secretary
Rev: Deptt
27.3.25

Sd
27.3.25

Sd/-
28/3

Sd/-
3/4

~~Sd~~ ~~Sd~~ ~~Sd~~